

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

COSHAP, LLC, d/b/a
Southside Discount Mall,

Plaintiff,

v.

THE ALPHA, INC.,

Defendant.

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1:23-CV-00917-ELR

ORDER

By a minute Order entered in this case by the Court on February 6, 2024, the Court directed that a Clerk’s entry of default be entered against Defendant The Alpha, Inc. and instructed that “should Plaintiff [Coshap, LLC] elect to file a motion for default judgment against Defendant pursuant to Federal Rule of Civil Procedure 55(b), the Court ORDERS Plaintiff to do so within twenty-one (21) days.” Plaintiff did not file any such motion within the time required by the Court.

Local Rule 16.5 provides that “[f]ailure to comply with the [C]ourt’s pretrial instructions may result in the imposition of sanctions, including dismissal of the case[.]” LR 16.5, NDGa. Because Plaintiff has failed to comply with the Court’s

pretrial instructions, the Court **DISMISSES WITHOUT PREJUDICE** this action and **DIRECTS** the Clerk to close it.

SO ORDERED, this 1st day of March, 2024.



Eleanor L. Ross
United States District Judge
Northern District of Georgia